

Appl. No. 10/673,655  
Amdt. Dated September 8, 2005  
Reply to Office Action of July 14, 2005

REMARKS

This is a full and timely response to the non-final Office action mailed July 14, 2005. Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Claims 1-7 and 12-28 are pending in this application, with Claims 1, 2, and 12 being the independent claims. Claims 1, 2, and 12 have been amended, Claims 8-11 and 29-33 have been canceled. No new matter is believed to have been added.

Rejections Under 35 U.S.C. § 102

The Examiner rejected claims 1-4 and 17-28 under 35 U.S.C. §102(b) as being anticipated by Loud.

Although not specifically stated, Applicant is assuming that the Examiner intended to also reject claims 5-14 under 35 U.S.C. §102(b) as being anticipated by Loud.

Claims 1, 2, and 12 have been amended to include the actuator being connected to the swivel seat to move the swivel seat towards and away from the end of the housing. Specifically, Claim 1 includes the limitation "an actuator extending through the base and into the internal channel of the housing and connected to the swivel seat to move the swivel seat towards the attacher when actuated in a first direction and move the swivel seat towards the base when actuated in a second direction." Claim 2 includes the limitation "an adjustable actuator connected to the swivel seat to move the swivel seat towards the end of the housing when actuated in a first direction and away from the end of the housing when actuated in a second direction." Claim 12 includes the limitation "a swivel seat connected to the adjustable actuator and disposed within the internal channel such that when the adjustable actuator is actuated in a first direction, the swivel seat moves towards the second end of the housing and when the adjustable actuator is actuated in a second direction, the swivel seat moves away from the second end of the housing."

Loud does not disclose an actuator connected to the swivel seat to move the swivel seat towards and away from the end of the housing. Loud discloses a watch-roller remover for removing from the staff of a watch-balance, the disk known as a "roller." As illustrated in Figure 1, the tool includes a tubular shank 12 having at one end a roller-seat,

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which is a preferably head 13 provided with a slot 14 to receive a balance-staff. A plunger 16 is movable positioned in the shank 12 and restrained by the guide 15. A handle 18 is provided with a screw-threaded extension 19, which engages a nut 20 and the end of the shank 12. The extension 19 bears on the head of the plunger 16. When the handle 18 is turned to force the extension 19 into the tubular shank 12, the plunger 16 is forced toward the head 13 at the opposite end of the shank 12. The plunger 16 is normally retracted or removed away from roller seat by a spring 17. As shown in Figure 1, the extension 19 merely presses against the plunger 16 to move the plunger 16 towards the head 13. When the extension 19 is retracted, the spring 17 forces the plunger 16 away from the head 13 because the extension 19 is not connected to the plunger 16. Loud discloses a screw-threaded extension to force a plunger in one direction and a spring to force a plunger in the opposite direction. Specifically, Loud does not disclose an actuator being connected to the swivel seat to move the swivel seat towards and away from the end of housing.

Therefore, Claims 1, 2, and 12 are not anticipated by Loud because the Claims 1, 2, and 12 include a limitation that is not disclosed in Loud.

Claims 3-14 and 17-28 are dependent on either Claim 2 or Claim 12 and should be allowable for at least the same reasons as Claims 2 and 12 as stated above.

Claims 8-11 have been cancelled.

Applicant, accordingly, respectfully requests withdrawal of the rejections of Claims 1-14 and 17-28 under 35 U.S.C. §102(b) as being anticipated by Loud.

#### Rejections Under 35 U.S.C. § 103

The Examiner rejected Claim 15 under 35 U.S.C. §103(a) as being anticipated by Loud in view of Widmayer.

Claim 15 is dependent on Claim 12 and should be allowable for at least the same reasons as Claim 12 stated above.

Applicant, accordingly, respectfully requests the withdrawal of the rejection of Claim 15 under 35 U.S.C. §103(a) as being unpatentable over Loud in view of Widmayer.

The Examiner rejected Claim 16 under 35 U.S.C. §103(a) as being unpatentable over Loud in view of Kappler.

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Claim 16 is dependent on Claim 12 and should be allowable for the same reasons as Claim 12 stated above.

Applicant, accordingly, respectfully requests the withdrawal of the rejection of Claim 16 under 35 U.S.C. §103(a) as being unpatentable over Loud in view of Kappler.

Conclusion

Based on the above, independent Claims 1, 2, and 12 are patentable over the citations of record. The dependent claims are also submitted to be patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

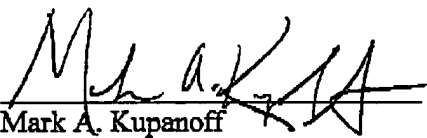
If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: 9/8/05

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